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Acadiana's Daily Newspaper

LDEQ/OSEC/LARD
REGULATION DEVELOPMENT SECTION

### THE ADVERTISER

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### AFFIDAVIT OF PUBLICATION

Remender D. Weatherspoon LA Department of Environmental Quality OSEC/Legal Affairs Division/ Regulation Development Section P. O. Box 4302 Baton Rouge, LA 70821-4302 Account No.:

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Ad Number:

07531817

Ad Total: Ad Inches: \$80.00 13

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P.O. Box 3268, Lafayette, LA 70502-3268

he LEGAL CLERK of THE ADVERTISER,

I, ROSE PENFOLD, do solemnly swear that I am the LEGAL CLERK of THE ADVERTISER, a newspaper printed and published at Lafayette, in the Parish of Lafayette, State of Louisiana, and that from my personal knowledge and reference to the files of said publication, the advertisement of

<u>POTPOURRI</u>

**Department of Environmental Quality** 

Office of the Secretary Legal Affairs Division

Notice of Public Hearing

Substantive Changes to Proposed Rule AQ246F

Nonattainment New Source Review; Prevention of Significant Deterioration (LAC 33:111.504 and 509) (AQ246FS)

(0509Pot1)

was published in THE ADVERTISER on the following dates:

\*Friday, September 16, 2005

Rose Penfold Legal Clerk

Sworn to and subscribed before me this

day of September, 2005.

NOTARY PUBLIC - ID#13817

### 07531817 POTPOURRI

Department of Environmental Quality Office of the Secretary Legal Affairs Division

Notice of Public Notice of Public
Hearing
Substantive Changes
to Proposed Rule
AQ246F
Nonattainment New
Source Review;
Prevention of
Significant
Deterioration
(LAC 33:111.504 and.
509) (AQ246FS)
(0509Pot1)

(0509Pot1)

Under the authority of the Louisiana Environmental Quality Act, R.S. 30:2001 et. seq., and in accordance with the provisions of the Administrative Procedure. Act, R.S. 49:950 et. seq.; the secretary gives notice that the department is seeking to Incorporate substantive changes to the proposed amendments to the Air Quality regulations, LAC 33:III.504 and 509 (Log #AQ246FS), which were originally noticed as AQ246F in the June 20, 2005, issue of the Louisiana Register. This rule is also being proposed as a revision to the Louisiana State implementation Plan (SIP).

proposed as a revision to the Louisiana State implementation Plan (SIP).

The department has made substantive changes to address comments received during the public comment period of proposed rule AQ246F. On June 24, 2005, the United States Court of Appeals for the District of Columbia Circuit, vacated the Clean Unit and Poliution Control Project portions of EPA's December 31, 2002, NSR Reform rule (New York et al. v. U.S. EPA, No. 02-1387). These provisions were removed from AQ246F. Several other a unrelated changes were also made in response to public comments.

A strikeout/undertine/shaded version of the proposed rule that distinguishes original proposed language from substantively changed language is available on the internet at www.deq.louisiana.gov under Rules and Regulations.

A public hearing on the substantive changes and the SIP revision will be held on October 25, 2005, at 1:30 p.m. in the Galvez Building, Room 1051, 602 N. Fifth Street, Baton Rouge, LA 70802. Interested persons are invited to attend and submit oral comments on the substantive changes. Should individuals with a disability need an accommodation in order to participate, contact Judith A. Schuerman, Ph.D., at the address given below or at (225) 219-3550. Free parking is available in the Galvez Garage when the parking ticket is validated by department personnel at the hearing. Written comments grading the substanting the comments of the

Written comments regarding the substantive changes must be received no later than October 25, 2005, at 4:30 p.m., and should be sent to Judith A. Schuerman, Ph.D. Office of the Secretary, Legal Affairs Division, Box 4302, Baton Rouge, LA 70821-4302 or to FAX (225), 219-3582 or by e-mail to ludith.schuerman@ia.go y. The comment period for the substantive changes ends on the same date as the public hearing. Persons commenting should reference AQ246FS in their correspondence. Copies of this proposed regulation with substantive changes can be purchased by contacting the DEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for each copy.

This regulation is

or money order is required in advance for each copy.

This regulation is available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Flifth Street, Bation Rouge, LA 70802; 1823 Highway 546, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 1301 Gadwall Street, Lake Charles, LA 70508; 110 Barataria Street, Lockport, LA 70374. Herman Robinson, Herman Robinson, CPM Executive Counsel

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SEP 2 6 2005

LDEQ/OSEC/LARD Regulation development section

Publisher of THE ADVOCATE

### PROOF OF PUBLICATION

The hereto attached notice was published in THE ADVOCATE, a daily newspaper of general circulation published in Baton Rouge, Louisiana, and the official Journal of the State of Louisiana, the City of Baton Rouge, and the Parish of East Baton Rouge, in the following issues:

#### 09/19/05

Susan A. Bush, Public Notices Clerk

Sworn and subscribed before me by the person whose signature appears above:

<u>September</u> 19, 2005

Pegeen Singley, Notary Public, #66565 My Commission Expires - Indefinite Baton Rouge, Louisiana

Written comments regarding the substantive changes must be received no later than October 5, 2005, at 4:30 p.m., and shull be sent to Judith A. Scherman, Ph.D., Office of the Scherman, Legal Affairs Division. Box 4302, Baton, Rouge, La 70821-4302 or to fax, 1225 2:19-3582 or by e-mail to Ludith scherman(9) agov. The comment period for the substantive changes ends on the same date as the public hear ing. Persons. commenting should reference AO24670 less of this proposed regulation their correspondence. Copples of their correspondence is equired in advance for each copy. This required in advance for each copy. This required in the following DEO of the docations from 8 a.m. until 4:30 p.m. 602 N. Fith Street, Baton Rouge, LA 70802; 1923 State Office Bidding 1525 Fairtield Avenue, England Street, Lake Charles, Lake Charles, Lake Charles, Lake Charles, Laguertie LA 70508: 110 Barataria Street, Lockport, LA 70374.

#### POTPOURRI

Department of Environmental Quality Office of the Secretary Legal Affairs Division

Notice of Public Hearing Substantive Changes to Proposed Rule AG246F Ionattainment New Source Review: Prevention of 5

Significant Deterioration (LAC 33:III.504 and 509) (AQ246FS) (0909Pot1)

Under the authority of the Louisiana Environmental Quality Act, R.S. 30,2001 et. seq., and in accordance with the provisions and in accordance with the provisions of the Act. R.S. 49,950 et. seq. the secretary gives notice that the department is selected to the proposed substantive changes to the Air Quality regulations. LAC 33:16246FS, which were originally octobed as AQ246F in the Air Quality regulations. LAC 33:16246FS, which were originally octobed as AQ246F in the Louisiana Register. This rule is also being proposed as a revision to the Couisiana State implementation Plan (SIP). The department has made substantive changes to address comments received during the public comment period of proposed the AQ246F. On June 24, 2005, the United States Court of Appeals for the District of Coam Unit and Poliution Control of Project portions of EPA's Doember 31, 2002, NSR Reform rule (New York et al. v. U.S. EPA, No. 02-1387). These powisions were removed from declarages were also and regulations. A strikeout/underline/shaded version of the proposed rule that distinguishes original proposed language from substantively changed language from substantively changes and the Sip revision will be held on Cotober 25, 2005, at 130 phorm in 161, 602 N. Fifth, the changes should index and regulations with a disability and an accommodation in the substantive changes and the Sip revision will be held on Cotober 25, 2005, at 130 phorm in 161, 602 N. Fifth, the changes should index substantive changes should index substantive changes should index substantive changes were abbility and an accommodation in the substantive changes and the Sip revision will be held on Cotober 25, 2005, at 130 phorm in 161, 602 N. Fifth Galvez garage when the parking ticket is validated by department personnel at the hearing

3167141

DEQ -OSEC/ LARD REGULATION REMENDER WEATHERSPOON PO BOX 4302

**BATON ROUGE** 

LA 70821-4314

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LDEQ/OSEC/LARD
REGULATION DEVELOPMENT SECTION

### AFFIDAVIT OF PUBLICATION

( A Correct Copy of Publication )

POTPOURRI

Department of Environmental Quality Office of the Secretary Legal Affairs Division

Notice of Public
Hearing
Substantive Changes
to Proposed Rule
AQ246F
Nonattalnment New
Source Review;
Prevention of
Significant
Deferioration
(LAC 33:III.504 and
509) (AQ246FS)
(0509Pot1)

Under the authority of the Louisiana Environmental Quality Act, R.S. 30:2001 et. seq., and in accordance with the provisions of the A d m in 1 str a tive Procedure Act, R.S. 49:950 et. seq., the secretary gives notice that the department is seeking to incorporate substantive changes to the proposed amendments to the Air Quality regulations, LAC 33:III.504 and 599 (Log #AQ246FS), which were originally noticed as AQ246F in the June 20, 2005, issue of the Louisiana Register. This rule is also being proposed as a revision to the Louisiana State implementation Plan (SIP).

The department has made substantive changes to address comments received during the public comment period of proposed rule AQ246F. On June 24, 2005, the United States Court of Appeals for the District of Columbia Circuit vacated the Clean Unit and Pollution Control Project portions of EPA's December 31, 2002, NSR Reform rule (New York et al. v. U.S. EPA, No. 02-1387). These provisions were removed from AQ246F. Several other unrelated changes were also made in response to public comments.

A strikeout/underline/
shaded version of the 
proposed rule that distinguishes original proposed language from 
substantively changed 
language is available on 
the Internet at 
www.deq.louisiana.gov 
under Rules and 
Regulations.

A public hearing on the substantive changes and the SIP revision will be held on October 25, 2005, at 1:30 p.m. in the Galvez Building, Room 1051, 602 N. Fifth Street, Baton Rouge, LA 70802. Interested persons are invited to attend and submit oral comments on the substantive changes. Should individuals with a disability

need an accommodation in order to participate, contact Judith A. Schverman, Ph.D., at the address given below or at (225) 219-3550. Free parking is available in the Galvez Garage when the parking ticket is validated by department personnel at the hearing.

Written comments regarding the substantive changes must be received no later than Cotober 25, 2005, at 4:30 p.m., and should be sent to Judith A. Schuerman, Ph.D., Office of the Secretary, Legal Affairs Division, Box: 4302, Baton Rouge, LA 70821-4302 or to FAX (225) 219-2382 or by e-mail to judith.schuerman@la.go v. The comment period for the substantive changes ends on the same date as the public hearing. Persons commenting should reference AQ246FS in their correspondence. Copies of this proposed regulation with substantive changes can be purchased by contacting the DEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for each copy.

This regulation is available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 1823 Highway 546, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 1301 Gadwall Street, Lake Charles, LA 70615; 111 New Center Drive, Lafayette, LA 70508; 110 Barataria Street, Lockport, LA 70374.

H E R M A N ROBINSON, CPM Executive Counsel

(9) 20

I, <u>Linda Ward</u>, <u>Call Center Supervisor</u>
of THE TOWN TALK, published at Alexandria,
Louisiana do solemnly swear that the

Public Notice

advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof for one insertions commencing with the issue dated September 20, 2005 and ending with the issue dated September 20, 2005.

Subscribed and sworn to before me

La V. le

this 20th day of September, 2005

Notary Number \_\_\_\_\_\_\_\_

SEP 2.3 2005

### LDEQ/OSEC/LARD REGULATION DEVELOPMENT SECTION

POTPOURRI
Department of Environmental Quality, Office of the Secretary, Legal Affairs Division, Notice of Public Hearing,
Substantive Changes to
Proposed Rule AQ246F,
Nonattainment New
Source Review; Prevention of Significant Deterioration (LAC

Under the duthority of the Louisiana Environ-mental Quality Act, R.S. 30:2001 et. seq., and in accordance with the pro-visions of the Adminis-trative Procedure Act, R.S. 49:950 et. seq., the R.S. 49:950 et. seq., the secretary gives notice that the department is seeking to incorporate substantive changes to the proposed amendments to the Air Quality regulations, LAC 33:111.504 and 509 (Log #AQ246FS), which were originally noticed as AQ246F in the June 20, 2005, issue of the Louisiana Register. This rule 2003, issue of the Louisi-ana Register. This rule is also being proposed as a revision to the Louisi-ana State implementa-tion Plan (SIP). The department has

changes were also made in response to public comments.

### **Affidavit of Publication**

STATE OF LOUISIANA Parish of Calcasieu

Before me the undersigned authority, personally came and appeared

who being duly sworn, deposes and says:

He/She is a duly authorized agent of LAKE CHARLES AMERICAN PRESS a newspaper published daily at 4900 Highway 90 East, Lake Charles, Louisiana, 70615. (Mail address: P.O. Box 2893 Lake Charles, LA 70602)

The attached Notice was published in said newspaper in its issue(s) dated:

00199778 - \$36.00 September 19, 2005

> 00053262 LA. DEQ OSEC/LARD REGULATION DEVELOPMENT REMENDER WEATHERSPOON P.O. BOX 4302 BATON ROUGE, LA 70821-4302

**Duly Authorized Agent** 

Subscribed and sworn to before me on this 19th day of September, 2005

Wendolyji

Dicken

at Lake Charles, LA

00053262

LA. DEQ OSEC/LARD

Notary Public

Gwendolyn R. Dugas #056523

rior of Significant Dele-rioration (LAC 33:111.504 and 509) (AQ246FS) (0509Pot1) Under the authority of

The department has made substantive changes to address comments received during the public comment period of proposed rule AQ246F. On June 24, 2005, the United States Fourt of Appends for the 2005, the United States
Court of Appeals for the
District of Columbia Circuit vacated the Clean
Unit and Pollution Control Project portions of
EPA's December 31,
2002, NSR Reform rule
(New York et al. v. U.S.
EPA, No. 02-1387).
These provisions were
removed from AQ246F.
Several other unrelated
changes were also made

A strikeout/underline/shad ed version of the pro-posed rule that distin-guishes original pro-posed language from substantively changed

Legals

language is available on the Internet at the Internet at www.deq.louisiana.gov under Rules and Regula-A public hearing on

the substantive changes and the SIP revision will be held on October 25, 2005, at 1:30 p.m. in the Galvez Building, Room 1051, 602 N. Fifth Street, Baton Rouge, LA 70802. Interested persons are invited to attend and submit oral comments on the substantive changes. Should individuals with a disability need an accommodation need an accommodation in order to participate, contact Judith A. Schuerman, Ph.D., at the address given below or at (225) 219-3550. Free parking is available in the Galvez Garage when the parking ticket is validated by de-partment personnel at the hearing.
Written comments re-

Written comments regarding the substantive changes must be received no later than October 25, 2005, at 4:30 p.m., and should be sent to Judith A. Schuerman, Ph.D., Office of the Secretary, Legal Affairs Division, Box 4302, Baton Rouge, LA 70821-4302 or to FAX (225) 219-3582 or by e-mail to by e-mail to judith.schuerman@la.go iudith.schuerman@la.go
v. The comment period
for the substantive
changes ends on the
same date as the public
hearing. Persons commenting should reference AQ246F5 in their correspondence. Copies of this proposed regulaof this proposed regula-tion with substantive changes can be pur-chased by contacting the DEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for

required in advance for each copy.
This regulation is available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 1823 Highway 546, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shrevetice Building, 1525 Fair-field Avenue, Shreve-port, LA 71101; 1301 Gadwall Street, Lake Charles, LA 70615; 111 New Center Drive, La-fayette, LA 70508; 110 Barataria Street, Lock-port 1 A 70274 port, LA 70374. Herman Robinson,

00199778

Executive Counsel September 19

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LDEQ/OSEC/LARD REGULATION DEVELOPMENT SECTION

### Publisher of

### THE NEWS-STAR MONROE, LOUISIANA PROOF OF PUBLICATION

Was published in the NEWS-STAR. A daily newspaper of general circulation.

The hereto attached advertisement

Published in Monroe, Louisiana.

Parish of Ouachita in the issues of:

CERTIFIED COPY

#### POTPOURRI

Department of Environmental Quality
Office of the Secretary
Legal Affairs Division Notice of Public Hearing Substantive Charges to Pro-posed Bulle AQ246F Non attainment New Source Re-view; Prevention of Significant Deterioration (LAC 33:III.504 and 509) (AQ246FS) (0509Pot1)

Under the authority of the Louisiana Environmental Quality Act, R.S. 30:2001 et. seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et. seq., the secretary gives notice that the department is seeking to incorporate substantive changes to the proposed amendments to the Air Quality regulations, LAC 33:III.504 and 509 (Log:#AQ246FS), which were original-ty noticed as AQ246F in the June 20, 2005, issue of the Louislana Register. This rule is also being proposed as a revision to the Louislana State Implementation Plan (SIP).

Plan (SIP).

The department has made substantive changes to address comments received during the public comment period of proposed rule AQ246F. On June 24, 2005, the United States Court of Appeals for the District of Columbia Circuit vacated the Clean Unit and Pollution Control Project portions of EPA's December 31, 2002, NSR Reform rule (New York et al. v. U.S. EPA, No. 02-1387). These provisions were removed from AQ246F. Several other unrelated changes were also made in response to public comments.

strikeout/underline/shaded A strikeout/underlinersnaded version of the proposed rule that distinguishes original proposed language from substantively changed language is available on the Internet at www.deq.louisiana.gov under Rules and Regulations.

Rules and Regulations.

A public hearing on the substantive changes and the SIP revision will be held on October 25, 2005, at 1:30 p.m. in the Galvez Building, Room 1051, 602 N. Fifth Street, Baton Rouge, LA 70802 interrested persons are invited to attend and submit oral comments, on the substantive changes. Should individuals with a disability need an accommodation in order to participate, contact Judith A. Schuerman, Ph.D., at the address given below or at (225):219-3550. Free parking is available in the Galvez Garage when the parking ticket is validated by department personnel at the hearing.

Written comments, regarding with the contact in the parking is available.

written comments regarding the substantive changes must be received no later than October 25, 2005, at 4:30 p.m., and should be sent to Judith A. Schuerman, Ph.D., Office of the Secretary, Legal Affairs Division, Box 4302, Baton Rouge, LA 70821-4302 or to fax (225) 219-3582 or by e-mail to judith.schuerman@la.gov. The comment period for the substantive changes ends on the same date as the public hearing. Persons commenting should reference AQ246FS in their correspondence. Copies of this proposed regulation with substantive changes can be purchased by contacting the DEQ Public Records Center at (225) 219-3168. Check or money or each copy.

This regulation is available for inspection at the following DEO office locations from 8 a.m. until 4:30 b.m. 602 N. Fifth Street, Baton, Rouge, LA. 70802, 1823 Highway 546, West Monroe, LA. 71292; State, Office, Building, 1525; Fairfield Avenue, Shreve-ort, LA. 71101; 1304, Gadwall Street, Lake Charles, LA. 70615, 111 New Center Drive, Lafayette, LA. 70508; 110 Barataria Street, Lockport, LA. 70374.

Herman Robinson, CPM Executive Counsel

LEGAL AD DEPT.

Sworn and subscribed before me by

The person whose signature appears above in Monroe, LA on this

AD

#### POTPOURRI

Department of Environmental Quality
Office of the Secretary
Legal Affairs Division

Notice of Public Hearing Substantive Changes to Proposed Rule AQ246F Nonattainment Nonattainment New Source Review; Prevention of Significant Deterioration (LAC 33:III.504 and 509) (0509Pot1)

..Under the authority of the Louisiana Environ-mental Quality Act, R.S. 30:2001 et. seq., and in accordance with the provisions of the Adminis-trative Procedure Act. R.S. 49:950 et. seq., the secretary gives notice that the department is seeking to incorporate substantive changes to the proposed amendments to the Air Quality regulations. regulations. LAC 33:III.504 and 509 (Log #AQ246FS), which were originally noticed as #AU240F3), which were originally noticed as AO246F in the June 20, 2005, issue of the Louisiana Register. This rule is also being proposed as a revision to the Louisiana State Implementasiana State Implementation Plan (SIP).

The department substantive made changes to address comments received durto address comments received during the public comment period of proposed rule AQ246F. On June 24, 2005, the United States Court of Appeals for the District of Columbia Circuit vacated the Clean Unit and Polluting Con cuit vacated the Clean Unit and Pollution Control Project portions of EPA's December 31, 2002, NSR Reform rule (New York et al. v. U.S. EPA. No. '02-1387). These provisions were removed from AQ246F. Several other unrelated Several other unrelated changes were also made in response to public comments.

strikeout/underline/shad strikeout/uncerine/snad ed version of the pro-posed rule that distin-guishes original pro-posed language from substantively changed language is available on the Internet at www.deq.louisiana.gov under Rules and Regulations.

. A public hearing on the substantive changes and the SIP revision will be the SIP revision will be held on October 25, 2005, at 1:30 p.m. in the Galvez Building, Room 1051. 602 N. Fitth 1051. 602 N. Fifth Street, Baton Rouge, LA 70802. Interested persons are invited to attend and submit oral comments on the subchanges Should individuals with a disability need an ac-commodation in order to participate. contact Judith A. Schuerman. dith A. Schuerman. Ph.D., at the address given below or at (225) 219-3550. Free parking

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SEP 2 9 2005

LDEQ/OSEC/LARD REGULATION DEVELOPMENT SECTION

### **PROOF OF PUBLICATION**

00000

STATE OF LOUISIANA PARISH OF CADDO

Before me, the undersigned authority, personally came and appeared

Altheas Critton,

personally known to me,

Who being duly sworn, deposes and says that she is the Assistant to the Classified Advertising Manager of The Times, and that the attached Advertisement entitled:

POTPOURRI Department of Environmental Quality Office of the Secretary Legal Affairs Division Notice of Public Hearing Substantive Changes to Proposed Rule AQ246F Nonattainment New Source Review; Prevention of Significant Deterioration (LAC 33:III.504 and 509) (AQ246FS) (0509Pot1)

September 17, 2005

(Signed) althous Cutton

Sworn to and subscribed before me this 20th day of September, 2005

DIANA W. BARBER, NOTARY PUBLIC # 60491 CADDO PARISH, LOUISIANA MY COMMISSION IS FOR LIFE



is available in the Galvez Garage—when the parking ticket is validated by department personnel at the hearing.

Written comments regarding the substantive changes must be received no later than October 25, 2005. at 4:30 p.m., and should be sent to Judith A. Schuerman, Ph.D., Office of the Secretary, Legal Affairs Division, 80x 4302. Baton Rouge, LA 70821-4302 or to FAX (225) 219-3582 or by e-mail to judith.schuerman@la.go v. The comment period for the substantive changes ends on the same date as the public hearing. Persons commenting should reference AQ246FS in their correspondence. Copies of this proposed regulation with substantive changes can be purchased by contacting the DEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for each copy.

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Herman Robinson, CPM Executive Counsel

The Times: September 17, 2005



Acadiana's Daily Newspaper

SEP 2.9 2005

LDEO/OSEC/LARD REGULATION DEVELOPMENT SECTION

### THE ADVERTISER

221 JEFFERSON STREET LAFAYETTE, LA 70501 PHONE:

(337) 289-6300

FAX:

(337) 289-6466

### AFFIDAVIT OF PUBLICATION

Remender D. Weatherspoon LA Department of Environmental Quality OSEC/Legal Affairs Division/ **Regulation Development Section** P. O. Box 4302 Baton Rouge, LA 70821-4302

Account No.: Ad Number:

LDEQRD 07531818

Ad Total: Ad Inches: \$90.00 15

Reference No.:

\*\*To insure proper credit please refer to your account number and/or ad number when making payment. Remittance address:

P.O. Box 3268, Lafayette, LA 70502-3268

I, ROSE PENFOLD, do solemnly swear that I am the LEGAL CLERK of THE ADVERTISER, a newspaper printed and published at Lafayette, in the Parish of Lafayette, State of Louisiana, and that from my personal knowledge and reference to the files of said publication, the advertisement of

#### POTPOURRI

Department of Environmental Quality

Office of the Secretary Legal Affairs Division Notice of Public Hearing

Substantive Changes to Proposed Rule AQ246L

Nonattainment New Source Review; Prevention of Significant Deterioration -

Louisiana Revisions (LAC 33:111.504 and 509) (AQ246LS) (0509Pot2)

was published in THE ADVERTISER on the following dates:

\*Friday, September 16, 2005

ROSE PENFOLD

LEGAL CLERK

Sworn to and subscribed before me this

day of September, 2005.

Department of Environmental Quality Office of the Secretary Legal Affairs Division

Notice of Public
Hearing
Substantive Changes
to Proposed Rule
AQ246L
Nonattainment New
Source Review;
Prevention of Prevention of Significant Deterioration -Louisiana Revisions (LAC 33:III.504 and 509) (AQ246LS) (0509Pot2)

(0509Pot2)

Under the authority of the Louisiana Environmental Quality Act, R.S. 30:2001 et. seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et. seq., the secretary gives notice that the department is seeking to incorporate substantive changes to the proposed amendments to the Air Quality regulations. LAC 33:11.504 and 509 (Log #AQ246L5): which were originally noticed as AQ246L in the June 20, 2005, issue of the Louisiana Register. This rule is also being proposed as a revision to the Louisiana State implementation Plan (SIP).

to the Louisiana State Implementation Plan (SIP).

The department has made substantive changes to address comments received during the public comment period of proposed rule: AQ246L Louisiana's June 20, 2005, AQ246L proposed leliminated "malfunctions" from the definitions of baseline actual emissions and projected actual emissions. Because the state's proposed regulation did not mirror the corresponding federal requirement, the department must demonstrate that such provisions are at least astringent as the federal rule. With these substantive changes, "malfunctions" will be reinstated where previously omitted, but substantive changes, "malfunctions" will be reinstated where previously omitted, but defined. The federal rule does not define "malfunction." AQ246LS establishes that for purposes of LAC 33:111.504 and 509, malfunctions shall include any such emissions authorized by permit, variance, or the on-line operating adjustment provisions of LAC 33:111.1507.B and 2307.C.2, but exclude any emissions that are not compliant with federal or state standards. The addition of a definition which clarifies that the only "malfunction" emissions to be excluded are those not compliant with federal or state standards ensures that the state rule is at least as stringent as the federal or least as stringent as the federal rule.

A strikeout/underline/shaded version of
the proposed rule-that
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from substantively
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order to participate,
contact Judith A
Schuerman, Ph.D., at
the address given below or at (225) 2193550. Free parking is
available in the Galvez
Garage when the parking ticket is vaildated
by department person
nei at the hearing.
Written comments

garding the substantive changes must be received no later than October 25, 2005, at 4:30 p.m., and should be sent to Judith A. Schuerman, Ph.D., Office of the Secretary, Legal Affairs Division, Box 4302, Baton Rouge, LA 70821-4302 or to FAX (225) 219-3582 or by email to ludith.schuerman@la.go v. The comment period for the substantive changes ends on the same date as the public hearing. Persons commenting should reference AG246LS, in their correspondence. Copies of this proposed regulation with substantive changes can be purchased by contacting the DEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for each copy.

This regulation is available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 1823 Highway 546, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 7101; 1301 Gadwall Street, Lake Charles, LA 70508; 110 Barataria Street, Lexchport, LA 70508; 110



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SFP 2 6 2005

LDEQ/OSEC/LARD
REGULATION DEVELOPMENT SECTION

Publisher of THE ADVOCATE

### PROOF OF PUBLICATION

The hereto attached notice was published in THE ADVOCATE, a daily newspaper of general circulation published in Baton Rouge, Louisiana, and the official Journal of the State of Louisiana, the City of Baton Rouge, and the Parish of East Baton Rouge, in the following issues:

Susan A. Bush, Public Notices Clerk

Sworn and subscribed before me by the person whose signature appears above:

<u>September 19, 2005</u>

Singley, Notary Public, Pegeen My Commission Expires Indefinite Baton Rouge, Louisiana

3167145

DEQ -OSEC/ LARD REGULATION REMENDER WEATHERSPOON PO BOX 4302

**BATON ROUGE** 

LA 70821-4314

Written comments regarding the substantive changes must be received on later than October 25, 2005, at ... 30 p.m., and should be sent to Juddith A. Schuerman, Ph.D. Glad Affeirs Division, Box 4302 at 161 at 161

#### POTPOURRI

Department of promental Quality ce of the Secretary al Affairs Division

Notice of Public Hearing Substantive Changes to Proposed Rule AC/246L Jonattainment New Source Review; Prevention of Significant Deterioration – Louisiana Revisions (LAC 33:III.504 and 509) (AC/246LS) (0509Pot2)

Under the authority of the Louisiana Environmental Quality Act, R.S. 30:2001 et. seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:50 et. seq., the secretary gives notice that the department is seeking to incorporate substantive changes to the proposed amendments to the Air Quality regulations, LAC 33:III.504 and 509 (Log #AQ246LS) which were originally noticed amendments to the Air Quality regulations, LAC 200, 205, 64:246, in the Louisiana Flegister. This rule also being proposed as a revision to the Louisiana State Implementation Plan (SIP). The department has made to address comments received during the public comment period of proposed rule AQ246L, Louisiana's June 20, 2005, AQ246L proposal eliminated Timallunctions' from the definitions of baseline actual emissions and projected actual emissions and projected actual emissions and projected actual emissions and projected actual emissions are particulated in the sequence of the proposal regulation did not mirror: the corresponding lederal requirement, the department must demonstrate that such provisions are at least as stringent as the federal rule. With those, substantive changes, malfunctions will be reinstated where proviously omitted, does not define "malfunction," AQ246LS establishes that for purposes of LAC 33:III.504 and 2505, malfunction of a definition which clarifles that the only "malfunction of a definition which clarifles that the only "malfunction of a definition which clarifles that the only "malfunction of a definition which clarifles that the only "malfunction of state standards, ensures that the state value of LAC 33:III.504 and 2307.C.2; but exclude any ensures that the state value of LAC 33:III.504 and 2307.C.2; but exclude any ensures that the state value of LAC 33:III.504 and 2307.C.2; but exclude any ensures that the only "malfunction". First the state value and seguitation of the proposed rule had distinguishes original proposed language from substantive changes and the Siprevision will be held

and submit oral comments on the substantive changes. Should individuals with a disability need an accommodation in order to participate contact Judith A. Schuerman, Ph.D., at the address given below or at (225) 219-3550. Free parking is available in the Garvez Garage when the parking ticket is validated by department personnel at the hearing.

### **CERTIFIED COPY**

10/5/65

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LDEQ/OSEC/LARD REGULATION DEVELOPMENT SECTION

### AFFIDAVIT OF PUBLICATION

Department of Department of Environmental Quality Office of the Secretary Legal Affairs Division

Notice of Public Hearing
Substantive Changes
to Proposed Rule
AQ246L Nonattainment New Source Review; Prevention of Prevention of Significant Deterioration -Louisiana Revisions (LAC 33:III.504 and 509) (AQ246LS) (0509Pol2)

Under the authority of the Louisiana Environmental Quality Act, R.S. 30:2001 ef. seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:596 ef. seq., the secretary gives notice that the department is seeking to incorporate substantive changes to the proposed amendments to the Air Quality regulations, LAC 33:III.504 and 599 (Log #AQ246LS), which were originally noticed as AQ246L in the June 20, 2005, issue of the Louisiana Register. This rule is also being proposed as a revision to the Louislana State Implementation Plan (SIP). Under the authority of

The department has made substantive changes to address comments received during the public comment period of proposed rule AQ246L. Louistants June 20, 2005, AQ246L orroposal eliminated "maifunctions" from the definitions of baseline actual emissions and projected actual emissions. Because the state's proposed regulation did not mirror the corresponding federal requirement, the department must demonstrate that such provisions are The department has a made substantive requirement, the department must demonstrate that such provisions are at least as stringent as the federal rule. With these substantive changes, "malfunctions" will be reinstated where previously omitted, but defined. The federal rule does not define "malfunction." AQ246Ls establishes that for purposes of LAC 33:III.5D4 and 509, malfunctions shall include any such emissions authorized by permit, varlance, or the on-line operating adjustment provisions of LAC 33:III.1507.B and 2307.C.2, but exclude any emissions that are not compliant with federal or state standards. The addition of a definition which clarifies that the only "malfunction" emissions to be excluded are

( A Correct Copy of Publication )
those not compliant with federal or state standards ensures that the state rule is at least as stringent as the federal

A strikeout/underline/
shaded version of the proposed rule that distinguishes original proposed language from substantively changed language is available on the Internet at www.deq.louislana.gov under Rules and Regulations. A strikeout/underline/ under R Regulations,

A public hearing on the substantive changes and the SIP revision will be held on October 25, 2005, at 1:30 p.m. In the Galvez Building, Room 1951, 602 N. Firth Street, Baton Rouge, LA 70802. Interested persons are invited to attend and submit oral comments on the substantive changes. Should individuals with a disability need an accommodation in order to participate, contact Judith Aschuerman, Ph.D., at the address given below or at (225) 219-3550. Free parking is available in the Galvez Garage when the parking ticket is validated by department personnel at the hearing. A public hearing on the

Written comments regarding the substantive changes must be received no later than October 25, 2005, at 4:30 p.m., and should be sent to Judith A. Schuerman, Ph.D., Office of the Secretary, Legal Affairs Division, Box 4302, Baton Rouge, LA 70821-4302 or to FAX (225) 219-3582 or by e-mail to judith. Schuerman@fa.go v. The comment period for the substantive changes ends on the same date as the public hearing. Persons commenting should reference A6246LS in their correspondence. Copies of this proposed regulation with substantive changes can be purchased by contacting the DEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for each copy. comments Written

reach copy.

This regulation is available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 1823 Highway 546, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 1301 Gadwall Street, Lake Charles, LA 70615; 111 New Center Drive, Lafayette, LA 70508; 110 Barataria Street, Lockport, LA 70374.

H E R M A
ROBINSON, CPM
Executive Counsel

I, Linda Ward, Call Center Supervisor of THE TOWN TALK, published at Alexandria, Louisiana do solemnly swear that the

Public Notice

advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof for one insertions commencing with the issue dated September 20, 2005 and ending with the issue dated September 20, 2005.

Subscribed and sworn to before me

this 20th day of September, 2005

Notary Number

POTPOURRI
Department of Environmental Quality, Office of the Secretary, Legal or state standards. The addition of a definition of Proposed Rule AQ246L, Nanattainment New Source Review; Prevention of Significant Deterioration - Louisiana (LAC) as stringent as the federal or state as stringent as the federal or state of Supplicant Deterioration (LAC) and Supplicant Deterioration (LAC) as stringent as the federal rule.

the Louisiana Environ-mental Quality Act, R.S. 30:2001 et. seq., and in accordance with the pro-visions of the Administrative Procedure Act, R.S. 49:950 et. seg., the secretary gives notice that the department is seeking to incorporate substantive changes to the proposed amend-ments to the Air Quality regulations, LAC regulations, LAC
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AQ246L in the June 20,
2005, issue of the Louisiana Register. This rule
is also being proposed as
a revision to the Louisiana State Implementation Plan (SIP).
The department has
made.—substantive

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strikeout/underline/shad ed version of the pro-posed rule that distin-guishes original proposed language from substantively changed language is available on the Internet at www.deq.louisiana.gov under Rules and Regula-

tions.

A public hearing on the substantive changes and the SIP revision will be held on October 25, 2005, at 1:30 p.m. in the Galvez Building, Room 1051, 602 N. Fifth Street, Boton Rouge, LA 70802. Interested persons are invited to attend and invited to attend and submit oral comments submit oral comments on the substantive changes. Should individuals with a disability need an accommodation in order to participate, contact Judith A. Schuerman, Ph.D., at the address given below or at (225) 219-3550. Free parking is available in the Galvez Garage when the parking ticket is validated by department personnel at the hearing.

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N. Fifth Street, Baton
Rouge, LA 70802; 1823
Highway 546, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 1301
Gadwall Street, Lake
Charles, LA 70615; 111
New Center Drive, Lafayette, LA 70508; 110
Barataria Street, Lockport, LA 70374.
Herman Robinson,
CPM

Executive Counsel September 19 11 00199784

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### **Affidavit of Publication**

LDEQ/OSEC/LARD REGULATION DEVELOPMENT SECTION

STATE OF LOUISIANA Parish of Calcasieu

Before me the undersigned authority, personally came and appeared

who being duly sworn, deposes and says:

He/She is a duly authorized agent of LAKE CHARLES AMERICAN PRESS a newspaper published daily at 4900 Highway 90 East, Lake Charles, Louisiana, 70615. (Mail address: P.O. Box 2893 Lake Charles, LA 70602)

The attached Notice was published in said newspaper in its issue(s)

00199784 - \$46.00 September 19, 2005

> 00053262 LA, DEQ OSEC/LARD REGULATION DEVELOPMENT REMENDER WEATHERSPOON P.O. BOX 4302 **BATON ROUGE, LA 70821-4302**

**Duly Authorized Agent** 

Wendolin

Subscribed and sworn to before me on this 19th day of September, 2005

1. Docker

at Lake Charles, LA

00053262

LA. DEQ OSEC/LARD

Notary Public

Gwendolyn R. Dugas #056523

#### POTPOURRI

Department of Environmental Quality Office of the Secretary Legal Affairs Division

Notice of Public Hearing Substantive Changes to Proposed Rule AQ248L Non attainment New Source Review; Prevention of Significant Deterioration – Louisiana Revisions (LAC 33:III.504 and 509) (AQ246LS) (0509Pot2)

Under the authority of the Louisiana Environmental Quality Act, R.S. 30:2001 et. seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:50 et. seq., the secretary gives notice that the department is seeking to incorporate substantive changes to the proposed amendments to the Air Quality regulations, LAC

33:III.504 and 509 (Log #AQ246LS), which were originally noticed as AQ246L in the June 20, 2005, issue of the Louisiana Register. This rule is also being proposed as a revision to the Louisiana State Implementation Plan (SIP).

The department has made substantive changes to address comments received during the public comment period of proposed rule AQ246L Louisiana's June 20, 2005, AQ246L proposal eliminated "maffunctions" from the definitions of baseline actual emissions. Because the state's proposed regulation did not mirror the corresponding federal requirement, the department must demonstrate that such provisions are at least as stringent as the federal rule. With these substantive changes, "maffunctions will be reinstated where previously omitted, but defined. The federal rule does not define "maffunction." AQ246LS establishes that for purposes of LAC 33:III.504 and 509, malfunctions shall include any such emissions authorized by permit, variance, or the on-line operating adjustment provisions of LAC 33:III.1507.B and 2307.C2 but exclude any emissions that are not compliant with federal or state standards. The addition of a definition which clarifies that the only "malfunction" emissions to be excluded are those "not compliant, with federal or state rule is at least as stringent as the

federal rule.

A strikeout/underline/shaded version of the proposed rule that distinguishes original proposed fanguage from substantively changed language is available on the internet at www.deq.louisiana.gov under Rules and Regulations.

Rules and Regulations.

A public hearing on the substantive changes and the SIP revision will be held on October 25, 2005, at 1:30 p.m. in the Galvez Building, Room 1051, 602 N. Fifth Street, Baton Rouge, LA 70802. Interested persons are invited to attend and submit oral comments on the substantive changes. Should individuals with a disability need an accommodation in order to participate, contact Judith A. Schuerman, Ph.D., at the address given below or at (225) 219-3550. Free parking is available in the Galvez Garage when the parking ticket is validated by department personnel at the hearing.

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ence AQ246LS in their correspondence. Copies of this proposed regulation with substantive changes can be purchased by contacting the DEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for each copy.

This regulation is available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 1823 Highway 546, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shrevenort, LA 71101; 1301 Gadwall Street, Lake Charles, LA 70615; 111 New Center Drive, Lafeyette, LA 70508; 110 Barataria Street, Lockport, LA 70374.

Herman Robinson, CPM Executive Counsel

Monroe, LA September 17, 2005

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LDEQ/OSEC/LARD
REGULATION DEVELOPMENT SECTION

Publisher of

### THE NEWS-STAR MONROE, LOUISIANA PROOF OF PUBLICATION

The hereto attached advertisement Was published in the NEWS-STAR.

A daily newspaper of general circulation.

Published in Monroe, Louisiana.

Parish of Ouachita in the issues of:

September 17, 2005 Cemanda Blown (0509Pot2) LEGAL AD DEPT.

Sworn and subscribed before me by

The person whose signature appears above in Monroe, LA on this

19th day of September 2005 AD

Virginia Vuckalorg 6208/ NOTARY PUBLIC

#### POTPOURR!

Department of Environmental Quality Office of the Secretary Legal Affairs Division

Notice of Public Hearing Substantive Changes to Proposed Rule AQ246L Nonattainment New Source Review, Prevention of Significant Deterioration - Louisiana Revisions (LAC 33:III.504 and 509) (AQ246LS) (AQ246LS)

...Under the authority of the Louisiana Environmental Quality Act. R.S. 30:2001 et. seq., and in accordance with the provisions of the Administrative Procedure Act. R.S. 49:950 et. seq., the secretary gives notice that the department is seeking to incorporate substantive changes to the proposed amendments to the Air Quality regulations. LAC 33:III.504 and 509 (Log #AQ246LS), which were originally noticed as AQ246L in the June 20, 2005, issue of the Louisiana Register. This rule is also being proposed as a revision to the Louisiana State Implementation Plan (SIP).

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# CERTIFIED COPY

## The Times

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SEP 292005

LDEQ/OSEC/LARD REGULATION DEVELOPMENT SECTION

### PROOF OF PUBLICATION

00000

STATE OF LOUISIANA PARISH OF CADDO

Before me, the undersigned authority, personally came and appeared

Altheas Critton,

personally known to me,

Who being duly sworn, deposes and says that she is the Assistant to the Classified Advertising Manager of The Times, and that the attached Advertisement entitled:

POTPOURRI Department of Environmental Quality Office of the Secretary Legal Affairs Division Notice of Public Hearing Substantive Changes to Proposed Rule AQ246L Nonattainment New Source Review; Prevention of Significant Deterioration - Louisiana Revisions (LAC 33:III.504 and 509) (AQ246LS) (0509Pot2)

September 17, 2005

(Signed) althora Cutton

Sworn to and subscribed before me this 20th day of September, 2005

h land 38. Bouler (Notary)

> DIANA W. BARBER, NOTARY PUBLIC # 60491 CADDO PARISH, LOUISIANA MY COMMISSION IS FOR LIFE



...A public hearing on the substantive changes and the SIP revision will be held on October 25. 2005. at 1:30 p.m. in the Galvez Building, Room 1051, 602 N. Fifth Street, Baton Rouge, LA 70802. Interested persons are invited to attend and submit oral comments on the substantive changes. Should individuals with a disability need an accommodation in order to participate, contact Judith A. Schuerman, Ph.D., at the address given below or at (225) 219-3550. Free parking is available in the Galvez Garage when the parking ticket is validated by department personnel at the hearing.

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Herman Robinson, CPM Executive Counsel

The Times: September 17, 2005